

**REMARKS**

Reconsideration of the subject application as amended herein is respectfully requested.

The Applicant would like to thank the Examiner for the courtesy extended during the interview of January 27, 2005.

The claims have been rejected as being anticipated by, or obvious in view of the Froehlich reference. The Applicant respectfully traverses these rejections.

As discussed at the interview, the present invention pertains to the embodiment of the invention shown in Fig. 5. This figure shows a breathing apparatus with a blower providing air through a conduit and a mask to a patient or subject. In this embodiment, the air pressure and the airflow are measured not adjacent to the mask, but at a distant end of the conduit near the blower. The mask pressure is calculated from the pressure at the blower (or, at the distal end of the conduit) and the pressure drop in the conduit. Importantly, the instantaneous leak flow is also determined, based on mask pressure and leak conductance. These parameters can be used to determine the airflow to the patient, or to control the blower.

The Froehlich reference discloses a system in which leak airflow is determined on a breath-by-breath basis. This approach is dependent on an accurate determination or detection of the end of one breathing cycle and the beginning of the next cycle. However, as discussed at the interview, this determination cannot be made precisely, and as a result, the leak air flow used by in the Froehlich reference is very

unreliable and error-prone. In the present invention, this problem is eliminated by calculating leak air flow instantaneously, rather than on a breath-by-breath basis. Therefore, there is no need for detecting the precise demarcation points between successive breathing cycles.

- It is respectfully submitted that the subject application is now in condition for allowance, and accordingly, a relatively early notice of allowance is requested.

Respectfully submitted  
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